

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP  
JAMES DIWIK Bar No. 164016  
2 JENNIFER R. BEIERLE Bar No. 227505  
One Market Plaza  
3 Steuart Tower, 8th Floor  
San Francisco, California 94105  
4 Telephone: (415) 781-7900  
Facsimile: (415) 781-2635

5 Attorneys for Plaintiff  
6 Travelers Casualty and Surety Company of America

7  
8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10  
11 TRAVELERS CASUALTY AND  
SURETY COMPANY OF AMERICA,

12 Plaintiff,

13 v.

14 TINNEY CONSTRUCTION  
15 CORPORATION, et al.,

16 Defendant.

CASE NO. C 05-01417 SI

**STIPULATION FOR LIMITED  
EXTENSION OF DISCOVERY AND  
MOTION DEADLINES; [PROPOSED]  
ORDER**

JUDGE: ILSTON  
DEPT: 10

17  
18 Pursuant to Local Rules 6-1(b) and 6-2, and for good cause shown below, plaintiffs  
19 Travelers Casualty and Surety Company of America and defendants Tinney Construction  
20 Company, Aidan Tinney and Christy Tinney request and stipulate to an extension of current  
21 discovery and motion-filing deadlines as described below. These extensions are necessary for  
22 completion of all matters related to the written discovery exchanged between the parties and the  
23 depositions noticed by the parties to date (the "Pending Discovery"), including the resolution of  
24 any potential disputes regarding the Pending Discovery. This Stipulation does not seek an  
25 extension of the fact discovery deadline for purposes of conducting additional discovery.

26 The parties stipulate to the following modifications to the deadlines set in the August 9,  
27 2005 *Pretrial Preparation Order*:

28 ///

Expert and fact discovery cutoff: February 14, 2006 (from January 16)  
Last day to file summary judgment motions: February 17, 2006 (from January 24)  
Last day to file motions to compel: February 17, 2006 (from January 25)  
Last day to file dispositive motions: February 17, 2006 (from January 25)

- Oppositions due February 27, 2006 (from February 10);
- Replies due March 6, 2006 (from February 17);
- Last hearing date March 20, 2006 (from March 3)

In support of this Stipulation, the parties state as follows:

1. The parties are working together cooperatively and diligently to complete the Pending Discovery and simultaneously are engaging in substantive settlement discussions. In particular, the parties have been actively coordinating deposition schedules around holiday schedules and unexpected family illness. Until depositions are concluded, summary judgment and other dispositive motions cannot be effectively completed.

2. In the interests of efficient and economical completion of the Pending Discovery, the parties have requested and agreed to the limited extension of time described above in order to: (a) conduct noticed depositions, (b) resolve any discovery disputes, and (c) present dispositive motions.

3. Counsel for the parties have met and conferred in connection with the preparation of this Stipulation and agree that a limited extension of the fact discovery and motion deadlines is in the interests of justice, in the best interests of the parties, and will increase the likelihood of settlement.

4. This is the first extension of time the parties have requested. It will not otherwise affect the deadlines set forth in the Scheduling Order, including the April 4, 2006 pretrial conference or the April 17, 2006 trial date.

5. Counsel for the parties will continue to work together to ensure that complete document productions and depositions occur as quickly and efficiently as possible, and to resolve disputed discovery issues.

Based on the foregoing Stipulation, the parties respectfully request that the Court grant

the limited extension of the fact discovery deadline described above.

DATED: December 22, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Jennifer R. Beierle

Jennifer R. Beierle

Attorneys for Plaintiff

Travelers Casualty and Surety Company of America

DATED: December \_\_, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Stevan Adelman

Stevan Adelman

Attorneys for Defendants

Tinney Construction Corporation, Aidan Tinney and

Christy Tinney

SIGNATURE ATTESTATION: I, Jennifer R. Beierle, counsel for plaintiff, attest that concurrence in the filing of this document has been obtained from Stevan Adelman, counsel for defendants.

DATED: December 22, 2005 SEDGWICK, DETERT, MORAN & ARNOLD LLP

By: /s/ Jennifer R. Beierle

Jennifer R. Beierle

Attorneys for Plaintiff

Travelers Casualty and Surety Company of America

**PURSUANT TO STIPULATION, IT IS SO ORDERED:**

Dated: \_\_\_\_\_

SUSAN ILLSTON

United States District Judge

